

1 **26. ISSUE: HENDERSHOTT FAMILY BENEFITED FROM THE PINK**
2 **UNDERWEAR SALES – SUBJECT: HENDERSHOTT**
3 **(Munnell Memo p. 48)**
4

5 **Chief Deputy David Hendershott**
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7 H21A. Allegedly, circa 1995, Chief Deputy David Hendershott's son designed the silk-
8 screen logo for the pink underwear, and earned royalty payments from sales.
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10 H21B. Allegedly, circa 1996, Chief Deputy David Hendershott ordered Reserve
11 Deputy Ed Arnold to purchase \$75,000 in underwear from Leslie Scott
12 Company, and when members of the Sheriff's Posse Foundation found out
13 about the transaction, Hendershott blamed the purchase on Arnold.
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15 **MUNNELL'S WRITTEN ACCOUNT**
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17 **Hendershott family benefits from the Pink Underwear sales**
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19 Members of the Hendershott family also apparently directly benefited from the sale of the pink
20 underwear by the posse. Hendershott told Rollie Seebert and me that his son had helped design the
21 logo that was silk-screened on each pair of pink boxers and that he was receiving a royalty from
22 each sale. I do not know the amount of that royalty and to my knowledge; it was never paid out of
23 posse sales proceeds. It may have been paid to Hendershott directly from the Leslie Scott
24 Company and their representative Evan Trommer. It should be noted that Hendershott directed a
25 Reserve Deputy named Ed Arnold to make a major purchase of pink underwear totaling
26 approximately seventy-five thousand dollars (\$75,000) from the Leslie Scott Company. This
27 purchase was not necessary and the Sheriff's Posse Foundation Board Members were very upset
28 that the order was made without their knowledge. During the controversy over the purchase,
29 Hendershott tried to assign responsibility to Arnold for placing such a large order.
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31 **WITNESSES LISTED BY MUNNELL**
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33 Deputy Chief Frank Munnell Told Munnell of royalty for son.
34 Director Rollie Seebert Told Seebert of royalty for son.
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36 **NARRATIVE SUMMARY**
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38 Hendershott told Munnell that his son helped design the silk-screened logo for the pink
39 underwear and said his son was paid a royalty from each sale. Hendershott directed
40 Reserve Deputy Ed Arnold to order \$75,000 in underwear from Leslie Scott Company,
41 and when Board Members from the Sheriff's Posse Foundation were upset about the
42 large transaction, Hendershott blamed it on Arnold.
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44 **WITNESS ACCOUNTS**
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46 **Frank Munnell**
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1 Munnell's account as to these events was as follows.

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3 A: That's back in like '95, and so Hendershott told Rollie Seebert and I,
4 'cause I was the Sergeant for the pink underwear and Seebert was my Lieutenant.
5 So he told us that. We never, I never saw anything, we didn't take it out of any of
6 the money we collected. All I can think of is that I know Dave has us go to lunch
7 with Evan Trommer. Evan Trommer was the CEO or one of the high ranking
8 people of Leslie Scott. Leslie Scott was a clothing manufacturer out of Dublin,
9 California. And so that was the vendor that sold the raw pink underwear to us,
10 and eventually it evolved to where they did all the printing and dying, but, so I
11 can only surmise that after Dave told us that about this royalty, that he was
12 probably getting it directly from Evan Trommer or from Leslie Scott, 'cause he
13 certainly wasn't getting it from the company that was dying it or silk-screening it.
14 And we never saw any of that money, we don't know, I'm only saying it 'cause
15 that's what Hendershott told me. (p. 84, Exhibit II 28b)

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17 According to Munnell, the information about the royalty earned by Hendershott's son, for
18 design of the logo on the pink underwear, came from Hendershott himself. Munnell did
19 not necessarily believe that there was anything inappropriate or illegal about the royalties,
20 but rather represented an example of Hendershott functioning as an entrepreneur and
21 looking "for an angle to make money." (p. 86, Exhibit II 28b)

22
23 Munnell's account about the purchase of \$75,000 worth of pink underwear was as
24 follows.

25
26 A:And the thing is, is that generally I would have been the one who
27 ordered it. I mean, like I said, I always said all along, I was kind of coordinating
28 this thing. I would have been the guy who did the order, based on inventory, we
29 needed and all of a sudden there was a \$75,000 order, and according to
30 Hendershott it was Ed Arnold ordered it. Well, Ed Arnold is just some lonely
31 Posse guy, he wouldn't have made an order like that to save his life. So I can
32 only guess why he would have made that order. You know, you can speculate,
33 but the point is, it wasn't appropriate and the Posse Foundation Treasury, which
34 was kind of dropping, they were alarmed at that chunk of \$75 K being spent, and
35 we ended up with underwear, such a surplus, that some of them from the heat, the
36 elastic was bad, I mean it really was not a good purchase. We didn't need them.
37 We didn't have the big giant rush and I think Hendershott tried to justify it as
38 well, there's going to be another big Christmas and we're going to need all this, or
39 is that really the reason, I don't know.... (p. 84, Exhibit II 28b)

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41 **Rollie Seebert**

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43 According to Seebert, when Seebert was working in Enforcement Support, Hendershott
44 told him that one of his (Hendershott's) sons had designed the logo, and was receiving
45 a royalty for every pair. He definitely knows that Hendershott made the statement, but

1 does not know if the statement was accurate, and if any royalties were paid. This
2 occurred in the mid-1990s.

3
4 **David Hendershott**

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6 Hendershott indicated that his son, David Hendershott, Jr., did design the logo for the
7 pink underwear, and that his son was eleven or twelve years old at the time. His son
8 has never received any royalties, nor has Hendershott himself, for the design of this
9 logo. He basically denied ever having told anyone that his son was receiving royalties.

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11 Hendershott was also asked about conflict relating to who had ordered a purchase of
12 \$75,000 in underwear from the Leslie Scott Company. Hendershott indicated that he
13 had done the ordering at first, and then the responsibility switched to the Posse
14 Foundation. He indicated that the entire situation was a "moving drama" because the
15 *New Times* was reporting on the matter, and questioning the sale of pink underwear.
16 Ultimately, it was established by a judge that MCSO and the Posse Foundation were
17 permitted to sell the pink underwear. According to Hendershott, the purpose of the sale
18 of pink underwear was to support charities.

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20 According to Hendershott, in that timeframe, the *New Times* had filed a records lawsuit
21 and ultimately it was established that the Posse Foundation stood on its own, apart from
22 MCSO, and that it was a private entity, to whose records *New Times* could not have
23 access. The judge also ruled, according to Hendershott, that MCSO could participate in
24 the sale of the underwear.

25
26 According to Hendershott, Leslie Scott was a MCSO vendor that was a textile company.
27 Hendershott indicated that they made t-shirts, coats, jail uniforms, and other apparel.

28
29 Hendershott got to know an employee of Leslie Scott, and when the possibility of selling
30 the underwear came up, Hendershott approached them with the idea of getting a good
31 deal, which Leslie Scott provided. Hendershott understood that Leslie Scott was
32 providing the pink underwear at cost. Hendershott advises that the sale of the pink
33 underwear went much better than had been expected, and really "took off." Eventually,
34 there came a time when the Posse Foundation would do their own ordering. The
35 \$75,000 purchase was the last order that Hendershott had made, and he did not recall
36 any drama about the order. Ed Arnold, Hendershott advises, was one of the main
37 coordinators, and had donated many hours. This was in a timeframe when Frank
38 Munnell was a Lieutenant in Community Services, and was responsible for the posse.
39 Hendershott did not remember any issue that had arisen because members of the
40 Posse Foundation found out about the \$75,000 transaction, and had some questions or
41 concerns about it. According to Hendershott, all the money that was made from the
42 sale of pink underwear went to the posse.

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